



DEC - 9 2002

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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In re Application of
GuoFan Hong et al
Serial No.: 09/512,019
Filed: February 24, 2000
Attorney Docket No.: LEE-109

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: PETITION DECISION
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This is in response to the petition under 37 CFR 1.181, filed October 15, 2002, to withdraw the abandonment of the above identified application based on non-receipt of an Office action.

A review of the file history shows that the examiner mailed an Office action to applicants on February 13, 2002, setting a one month shortened statutory period for reply. Upon failure to receive a reply the application became technically abandoned no later than August 14, 2002, although a Notice of Abandonment has not yet been mailed to applicants. Applicants state that the Office action was never received and provide statements of non-receipt and docket record evidence which fails to show receipt thereof. In view of applicants' statements and evidence presented, the Notice of Abandonment is hereby withdrawn and the application restored to pending status with the mailing of this decision.

Applicant's petition is **GRANTED**.

As applicants have obtained a copy of the Office action and provided a complete reply thereto with the petition, the application will be forwarded to the examiner for further consideration.

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, Washington, D.C. 20231, or by telephone at (703)308-3824 or by facsimile transmission at (703) 308-7230.


Bruce M. Kisliuk

Director, Technology Center 1600